

REMARKS

This Amendment responds to the Office Action dated May 7, 2009 in which the Examiner required a new title, rejected claims 16-20 under 35 U.S.C. § 112, second paragraph, rejected claims 1-20 under 35 U.S.C. § 101, rejected claims 1-2, 6-7, 11-12 and 16-17 under 35 U.S.C. § 102 (b) and rejected claims 3-5, 8-10, 13-15 and 18-20 under 35 U.S.C. § 103.

As indicated above, a new title has been provided. Therefore, Applicant respectfully requests the Examiner approves the new title.

As indicated above, claim 16 has been amended in order to more particularly point out and distinctly claim the subject matter which the Applicant regards as the invention. Furthermore, Applicant respectfully brings the Examiner's attention to Figures 1, 2, 4 and 6 which discusses the specifics of the means plus function claimed in the claims. Therefore, Applicant respectfully requests the Examiner withdraws the rejection to claim 16-20 under 35 U.S.C. § 112, second paragraph.

As indicated above, claims 1, 6, 11 and 16 have been amended in order to be directed to statutory subject matter. Therefore, Applicant respectfully requests the Examiner withdraws the rejection to claims 1-20 under 35 U.S.C. § 101.

Claim 1 claims a computer-readable conflict management program. Claim 6 claims a computer readable storage medium, claim 11 claims a conflict management method and claim 16 claims an electronic portable terminal apparatus. The program, medium, method and apparatus include receiving a task execution request, registering an active task in an active task list in a memory, detecting for a task conflict, determining the states to which tasks should be switched in accordance with predetermined conditions set for each task and a current state of each task and placing the tasks in the determined states.

By having a program, medium, method and apparatus as claimed in claims 1, 6, 11 and 16, the claimed invention makes it possible to design an application without having to consider a conflicting application. The prior art does not show, teach or suggest the invention as claimed in claims 1, 6, 11 and 16.

Claims 1-2, 6-7, 11-12 and 16-17 were rejected under 35 U.S.C. § 102 (b) as being anticipated by *Shitahaku* (U.S. Publication No. 2002/0037753).

Shitahaku appears to disclose upon receipt of a launch instruction from an application 1, the operation control section 22 updates the data in the operation state data storage section 24 [0038]. The operation control section 22 compares the priority of the application currently displayed at the front position of the screen with the priority of the application from which the launch instruction was received. If the priority of the application currently displayed on the screen is higher than that of the application from which the launch instruction was received, the application from which the launch instruction was received is not made active [0043]. If the priority of the current active application that the user sees is equal to or lower than that of the application from which the launch instruction was received, the operation control section 21 makes active the application from which the launch instruction was received [0044].

Thus, *Shitahaku* merely discloses determining whether to launch an application based upon priority. Nothing in *Shitahaku* shows, teaches or suggests determining the states that tasks are to be switched in accordance with (a) predetermined conditions set for each task and (b) the current state of each task as claimed in claims 1, 6, 11 and 16. Rather, *Shitahaku* only discloses determining priority of an application to determine if the application is to be launched.

Sine nothing in *Shitahaku* shows, teaches or suggests switching the state of a task based upon both (a) predetermined conditions and (b) the current state of each task as claimed in claims

1, 6, 11 and 16, Applicant respectfully requests the Examiner withdraws the rejection to claims 1, 6, 11 and 16 under 35 U.S.C. § 102 (b).

Claims 2, 7, 12 and 17 recited additional features. Applicant respectfully submits that claims 2, 7, 12 and 17 would not have been anticipated by *Shitahaku* within the meaning of 35 U.S.C. § 102 (b) at least for the reasons as set forth above. Therefore, Applicant respectfully requests the Examiner withdraws the rejection to claims 2, 7, 12 and 17 under 35 U.S.C. § 102 (b).

Claims 3-5, 8-10, 13-15 and 18-20 were rejected under 35 U.S.C. § 103 as being unpatentable over *Shitahaku* in view of *Parkin* (U.S. Patent No. 4,073,005).

Applicant respectfully traverses the Examiner's rejection of the claims under 35 U.S.C. § 103. The claims have been reviewed in light of the Office Action, and for reasons which will be set forth below, Applicant respectfully requests the Examiner withdraws the rejection to the claims and allows the claims to issue.

As discussed above, since nothing in *Shitahaku* shows, teaches or suggests the primary feature as claimed in claims 1, 6, 11 and 16, Applicant respectfully submits that the combination of the primary reference with the secondary reference to *Parkin* will not overcome the deficiencies of the primary reference. Furthermore, *Parkin* is directed to non-portable terminal devices. Therefore, Applicant respectfully requests the Examiner withdraws the rejection to claims 3-5, 8-10, 13-15 and 18-20 under 35 U.S.C. § 103.

Thus it now appears that the application is in condition for a reconsideration and allowance. Reconsideration and allowance at an early date are respectfully requested.

CONCLUSION

If for any reason the Examiner feels that the application is not now in condition for allowance, the Examiner is requested to contact, by telephone, the Applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed within the currently set shortened statutory period, Applicant respectfully petitions for an appropriate extension of time. The fees for such extension of time may be charged to Deposit Account No. 50-0320.

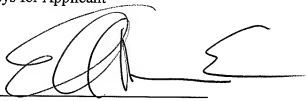
In the event that any additional fees are due with this paper, please charge our Deposit Account No. 50-0320.

Respectfully submitted,

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Date: July 31, 2009

By: _____


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